

REMARKS

Claims 20-25 and 66-75 presently appear in this case. No claims have yet been examined on the merits. The claims have been subject to restriction and election requirements. Prompt consideration and allowance of all of the claims remaining in the case are respectfully urged.

The examiner has required restriction among eight groups of claims, which the examiner states are not so linked as to form a single general inventive concept.

Applicant hereby elects Group I, including claims 20-25 and 66-75. All of the other claims have now been deleted without prejudice toward the continuation of prosecution thereof in divisional applications.

If invention I is elected, the examiner has also required applicant to elect one of inventions (A)-(C), one of inventions (D)-(F), and one of inventions (G)-(M),

As the examiner has not explained why each of the subgroups did not relate to a single general inventive concept, it is assumed that these are merely species requirements and that, if a generic claim is found to be allowable, then all of the species will be examined. Certainly, as true generic claims are present, it would be improper under PCT Rule 13.1 and 37 CFR 1.499, to require restriction among elements of dependent claims. MPEP

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1893.03(d) states that national stage applications are to be examined under the principles of unity of invention as is involved in an international patent application, referring to MPEP §1850 for a detailed discussion. In MPEP §1850, it states:

Unity of invention has to be considered in the first place only in relation to the independent claims in an international application and not the dependent claims. ...

If the independent claims avoid the prior art and satisfy the requirement of unity of invention no problem of lack of unity arises in respect of any claims that depend on the independent claims.

Nevertheless, in order to be responsive, applicant hereby elects Groups (A), (E), and (G).

Accordingly, it is urged that all of the claims now present in the case are directed to a single general inventive concept and all should be examined in this case. Prompt consideration and allowance are therefore earnestly solicited.

Respectfully submitted,

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